

COMMON COUNCIL MEETING MINUTES

MONDAY, February 1, 2016 – 6:00 P.M.
COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE

MEMBERS PRESENT:

Council President Ronald E. Carter, Council Members Sue Finkam, Laura D. Campbell, H. Bruce Kimball, Kevin D. Rider, Jeff Worrell, Carol Schleif, Clerk-Treasurer Christine S. Pauley and Deputy Clerk Jacob Quinn.

Council President Carter called the meeting to order at 6:00 p.m.

INVOCATION

Rev. George Davis, Carmel Police Chaplain, pronounced the Invocation.

Councilor Campbell led the Pledge of Allegiance.

RECOGNITION OF CITY EMPLOYEES AND OUTSTANDING CITIZENS

There were none.

APPROVAL OF MINUTES

Councilor Rider made a motion to approve the minutes from the January 18, 2016 Regular Meeting. Councilor Schleif seconded. There was no Council discussion. Council President Carter called for the vote. Minutes were approved 7-0.

RECOGNITION OF PERSONS WHO WISH TO ADDRESS THE COUNCIL

Rick Smith spoke in opposition to Ordinance D-2279-16.

The following individuals addressed the Council in opposition to Ordinance Z-608-16:

Gus Sevastianos
Charlotte Lippert
Ginger Battle

Jana Souers Hancock addressed the Council in favor of Ordinance Z-610-16

Charlie Demler addressed the Council in opposition to Ordinance Z-610-16

COUNCIL, MAYORAL AND CLERK-TREASURER COMMENTS/OBSERVATIONS

Clerk-Treasurer Pauley addressed the Council concerning a gift she wished to give councilors.

Councilor Worrell addressed the Council concerning positive things happening in the City of Carmel.

ACTION ON MAYORAL VETOES

There were none.

CLAIMS

Councilor Finkam made a motion to approve payroll in the amount of \$1,564,556.29. Councilor Kimball seconded. There was no Council discussion. Council President Carter called for the vote. Payroll was approved 7-0.

Councilor Worrell made a motion to approve claims in the amount of \$3,004,988.89. Councilor Schleif seconded. There was no Council discussion. Council President Carter called for the vote. Claims were approved 7-0.

COMMITTEE REPORTS

Councilor Finkam reported that the Finance, Utilities and Rules Committee had not met.

Council Rider reported that the Land Use and Special Studies Committee had met and discussed Ordinance Z-607-15 and Resolution CC-01-04-16-06. The committee report will be given when the items appear on the agenda

OTHER REPORTS

Carmel Redevelopment Commission (**Monthly**) (**Annual**)

Economic Development Commission (Quarterly – February, May, August, November)

Carmel Historic Preservation Commission (Quarterly – January, April, July, October)

Redevelopment Authority (Bi-annual – April, October)

Carmel Cable and Telecommunications Commission (Bi-annual – April, October)

Ethics Board (Annual – February)

Library Board (Annual – February)

All reports designated by the Chair to qualify for placement under this category.

OLD BUSINESS

Council President Carter announced the **Fourth Reading of Ordinance D-2245-15**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending Chapter 3, Article 1, Division II, Section 3-42(a)(3) and (a)(4) (*Council Appointments and Removal*) of the Carmel City Code. Councilor Finkam made a motion to lift this item from the table. Councilor Worrell seconded. There was no Council discussion. Council President Carter called for the vote. The motion passed 7-0. Councilor Finkam made a motion to amend Ordinance D-2245-15 by substituting in whole VERSION A 12/9/15. Councilor Rider seconded. There was no Council discussion. Council President Carter called for the vote. The motion to amend passed 7-0. Councilor Finkam made a motion to amend the amended version by striking on line

29 however, the appointee shall not immediately succeed himself or herself and striking on line 32 However, if the appointee is a member of the Carmel Common Council, the appointee shall serve no more than two (2) consecutive one-year terms. Councilor Schleif seconded. There was brief Council discussion. Council President Carter called for the vote. The motion to amend the amended version passed 7-0. Councilor Finkam made a motion to approve Ordinance D-2245-15 As Amended. Councilor Schleif seconded. There was no Council discussion. Council President Carter called for the vote. **Ordinance D-2245-15 As Amended** was approved 7-0.

Council President Carter announced the **Second Reading of Ordinance D-2279-16**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending Chapter 3, Article 1, Division 2, Sections 3-29 and 3-31 of the Carmel City Code. Introduced and not sent to committee. Councilor Rider made a motion to amend Ordinance D-2279-16 VERSION A 1/25/16 by striking on line 54 *and address* and inserting D-2279-16 VERSION A 1/25/16 As Amended in whole. Councilor Schleif seconded. There was no Council discussion. Council President Carter called for the vote. The motion was approved 7-0. Councilor Finkam made a motion to approve Ordinance D-2279-16 As Amended. Councilor Schleif seconded. There was no Council discussion. Council President Carter called for the vote. **Ordinance D-2279-16 As Amended** was approved 7-0.

Council President Carter announced the **Fifth Reading of Ordinance Z-607-15**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending the Development Standards, Updating the Contributing Buildings Map and Deleting the Sunset Provision on the Demolition Requirements in the Old Town District Overlay Zone. Councilor Rider deferred to Adrienne Keeling, Department of Community Services Planning Administrator, to present the amended version from the Land Use and Special Studies Committee. There was brief Council discussion. Councilor Rider made a motion to amend Ordinance Z-607-15 by inserting Z-607-15 VERSION A 2/1/16 in whole. Councilor Worrell seconded. There was no Council discussion. Council President Carter called for the vote. The motion to amend was approved.

Council President Carter passed the gavel to Councilor Finkam. Council President Carter made a motion amended the amended version with the following:

- On line 274 inserting *Commercial* at the beginning of the sentence and adding *at all times* after *view*.
- On line 278 inserting Roman numeral i (and changing all subsequent Roman numerals) and adding *paving shall be defined as any existing material used in the driveway*.
- On line 280 inserting *nor on any unpaved surface located anywhere else on the property* after *garage*.
- On line 351 striking *vinyl siding* and inserting *cement board*.
- On line 405 inserting *Commercial* at the beginning of the sentence and adding *at all times* after *view*.
- On line 409 inserting Roman numeral i (and changing all subsequent Roman numerals) and adding *paving shall be defined as any existing material used in the driveway*.
- On line 411 inserting *nor on any unpaved area of the property*
- On line 463 inserting *except that concrete pavers are not allowed* after *concrete*.
- On line 489 inserting ; *however, digital moving graphics may not be part of the display* after *products*.
- On line 518 inserting *Doors to trash area enclosures must be kept closed at all times except while employees are emptying trash or dumpsters are being removed* after *building*.
- On line 552 inserting *or after concrete* and striking *or high quality vinyl siding* on line 553.

- On line 588 inserting Roman numeral i (and changing all subsequent Roman numerals) and adding *paving shall be defined as any existing material used in the driveway.*
- On line 590 inserting *and is not allowed on any unpaved portion of the property after garage.*
- On line 698 inserting *Commercial* at the beginning of the sentence and adding *at all times after view.*
- On line 701 inserting Roman numeral i (and changing all subsequent Roman numerals) and adding *paving shall be defined as any existing material used in the driveway.*
- One line 716 inserting *or after concrete* and striking *or high quality vinyl siding.*
- One line 763 inserting bullet point *f. the above items (a) through (e) must be submitted in digital format.*

Councilor Finkam referred to Doug Haney, Corporation Council for the City of Carmel, to address the Council regarding the amendments. Councilor Schleif made a motion to approve the amendments to the amended version. Councilor Worrell seconded. There was brief Council discussion. Councilor Finkam called for the vote. The motion was approved 7-0. Councilor Schleif made a motion to approve Ordinance Z-607-16 As Amended. Councilor Worrell seconded. There was not Council discussion. Councilor Finkam called for the vote. **Ordinance Z-607-15 As Amended** was approved 7-0

Council President Carter regained the gavel from Councilor Finkam.

Council President Carter announced **Resolution CC-01-04-16-06**; A Resolution of the Common Council of the City of Carmel, Indiana, Regarding an Intergovernmental Transfer of Real Property Interest. Councilor Rider presented the Land Use and Special Studies Committee report to the Council. This item was referred back to the Council with a 3-0 favorable recommendation and a proposed amendment. Councilor Rider made a motion to amend Resolution CC-01-04-16-06 by inserting on line 42 *b. The CRC will ensure that if/when the property is sold the new owner and/or developer will guarantee to maintain the existing public parking capacity and manage stormwater detention as necessary to maintain or enhance the existing stormwater capacity. The guarantee to maintain the property's current parking and stormwater capacity shall be in addition to the parking and stormwater capacity required for any new development* and substituting VERSION A 1/12/16 in whole. Councilor Schleif seconded. There was no Council discussion. Council President Carter called for the vote. The motion was approved 7-0. Councilor Rider made a motion to adopt Resolution CC-01-04-16-06 As Amended. Councilor Schleif seconded. There was extensive Council discussion. Mayor Brainard addressed the Council regarding the amendment. Council President Carter called for the vote. **Resolution CC-01-04-16-06 As Amended** was adopted 7-0

PUBLIC HEARINGS

Council President Carter announced the **First Reading of Ordinance Z-608-16**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending the West Clay Village Planned Unit Development District Ordinance. Councilor Kimball made a motion to move this item into business. Councilor Rider seconded. Councilor Kimball introduced this item to the Council. Jim Shinaver, Nelson and Frankenberger PC, addressed the Council concerning the item. Council President Carter opened the public hearing at 7:27 p.m.

Dee Fox addressed the Council in opposition to Ordinance Z-608-16

Jill Meisenheimer, Carmel Citizens for Responsible Zoning, addressed the Council in opposition to Ordinance Z-608-16

Seeing no one else who wished to address the Council, Council President Carter closed the public hearing at 7:38 p.m. Council President Carter referred to Jim Shinaver to address the Council. There was extensive Council discussion. Council President Carter referred Ordinance Z-608-16 to the Land Use and Special Studies Committee for further review and consideration.

Council President Carter announced the **First Reading of Ordinance Z-609-16**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending the Development Standards in the Carmel Drive – Range Line Road Overlay Zone in the Carmel Zoning Ordinance. Councilor Kimball made a motion to move this item into business. Councilor Finkam seconded. Councilor Kimball introduced the item to Council. There was no Council discussion. Council President Carter opened the public hearing at 8:11 p.m. Seeing no one who wished to address the Council, Council President Carter closed the public hearing at 8:12 p.m. There was no Council discussion. Council President Carter held this item over until the next meeting and did not refer it to committee.

Council President Carter announced the **First Reading of Ordinance Z-610-16**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending the Title and Development Standards of the C-2/Old Town District in the Carmel Zoning Ordinance. Councilor Kimball made a motion to move this item into business. Councilor Rider seconded. Councilor Kimball introduced the item to Council. Council President Carter referred to Adrienne Keeling, Department of Community Services Planning Administrator, to address the Council. There was brief Council discussion. Council President Carter opened the public hearing at 8:19 p.m.

Jill Meisenheimer, Carmel Citizens for Responsible Zoning, addressed the Council in opposition to Ordinance Z-6010-16

Dee Fox addressed the Council in opposition to Ordinance Z-6010-16

Seeing no one else who wished to address the Council, Council President Carter closed the public hearing at 8:33 p.m. Councilor Worrell addressed some of the concerns raised by the speakers. Council President Carter referred Ordinance Z-610-16 to the Land Use and Special Studies committee for further review and consideration.

Council President Carter made a motion to add City Council Appointments to the Carmel Redevelopment Commission under Other Business on the agenda. Councilor Schleif seconded. There was no Council discussion. The motion passed 7-0.

Council President Carter passed the gavel to Councilor Finkam

NEW BUSINESS

Councilor Finkam announced **Resolution CC-02-01-16-01**; A Resolution of the Common Council of the City of Carmel, Indiana, Regarding Release of SBOA Final Examination Report; Sponsor: Councilor Carter. Council president Carter made a motion to move this item into business. Councilor Rider seconded. Council President Carter introduced this item to Council. Councilor Rider made a motion to adopt Resolution CC-02-01-16-01. Councilor Schleif seconded. There was no Council discussion. Councilor Finkam called for the vote. **Resolution CC-02-01-16-01** was adopted 7-0.

Council President Carter regained the gavel.

OTHER BUSINESS

City Council Appointments:

Carmel Redevelopment Commission (Term expires 12/31/16, one year term); Two appointments. Councilor Schleif made a motion to appoint David Bowers and Councilor Worrell. Councilor Rider seconded. Councilor Rider made a motion to close nominations. Councilor Schleif seconded. Councilor Worrell and David Bowers were appointed by acclamation.

ANNOUNCEMENTS


There were none.

EXECUTION OF DOCUMENT

ADJOURNMENT

Council President Carter adjourned the meeting at 8:41 p.m.

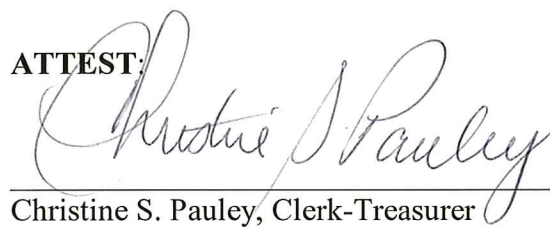
Respectfully submitted,


Clerk-Treasurer Christine S. Pauley

Approved,


James Brainard, Mayor

ATTEST:


Christine S. Pauley, Clerk-Treasurer

02/01/16 CC Special Meeting Minutes